

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03-30312-MAP

PAULA J. PAVELCSYK,
Plaintiff

vs.

WILLIAMSBURG BOARD OF HEALTH,
Defendant

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FILED
DISTRICT COURT
JULY 22 2004

**EMERGENCY MOTION TO EXTEND TIME WITHIN
WHICH TO FILE ANSWER OR RESPONSIVE PLEADING**

NOW COMES the defendant, Williamsburg Board of Health, and respectfully moves this Court for an extension of time within which to file an Answer or responsive pleading in the above-captioned matter. As grounds therefor and in support thereof, the defendant states that the above-captioned matter was apparently initiated in this Court on or about November 10, 2003. Service was not made upon the defendant until on or about June 16, 2004. The defendant anticipates filing a dispositive motion as its initial responsive pleading and requests an extension of 20 days within which to do so. The defendant notes that this matter has its inception in actions which allegedly occurred in calendar year 2000 and resulted in several actions in the state courts. The defendant anticipates moving to dismiss this matter based, *inter alia*, on the statute of limitations as well as the existence of prior actions in the application of the principles of *res judicata* and/or collateral estoppel and/or immunity defenses and/or other defenses available under Fed. R. Civ. P. 12. It would be in the interest of judicial economy to address these issues forthwith.

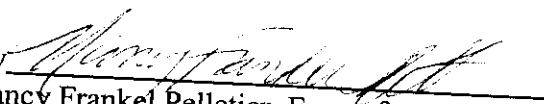
ALLOWED. Answer or Responsive Pleading by
July 22, 2004. So ordered.

369900

Michael C. Baum USPT
7.2.04

WHEREFORE, based upon the foregoing, the defendant respectfully requests an additional 20 days within which to file a responsive pleading and/or Answer in this matter.


THE DEFENDANT
WILLIAMSBURG BOARD OF HEALTH

By 
Nancy Frankel Pelletier, Esq., of
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BBO No.: 544402

CERTIFICATE OF SERVICE

I, Nancy Frankel Pelletier, Esq., hereby certify that on this 2nd day of July, 2004, I served a copy of the above upon the parties in the action by mailing, postage prepaid, to Paula J. Pavelcsyk, *Pro Se*, P.O. Box 4535, Haydenville, MA 01039,.

Subscribed under the penalties of perjury.


Nancy Frankel Pelletier, Esq.